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REMARKS

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Claims 6-11 and 15 are currently pending. Claims 1, 4-5, and 12-14 are cancelled by this Amendment.

Claims 9 and 11 have been amended to overcome the rejection under 35 U.S.C. §112. Removal of the outstanding rejection under 35 U.S.C. §112 is respectfully requested.

Applicants appreciate the indication of allowable subject matter in independent claim 11. Dependent claims 6-9 have been amended to depend from independent claim 11. Claims 6 and 8 have also been amended to provide sufficient antecedent basis with respect to independent claim 11.

In view of the cancellation of claims 1, 4-5, and 12-14 and the amendment to change the dependency of claims 6-9, the rejection under 35 U.S.C. §103 is now moot.

CONCLUSION

In view of the above, entry of the amendment and allowance of claims 6-11 and 15 are respectfully requested.

Respectfully submitted,

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Appendix – Marked Up Rewritten Claims

6. (Amended) Apparatus according to claim 11 [5], including an opaque shoe for pressing in light-proof manner around [a read] the window of [a reaction] the vessel provided with a central opening for passing light between the vessel and photometric means.
7. (Amended) Apparatus according to claim 11 [5], including a plate for receiving the washing means and the photometric means.
8. (Amended) Apparatus according to claim 11 [6], wherein the photometric means include moving equipment for pressing the shoe against the [read] window of the [reaction] vessel.
9. (Amended) Apparatus according to claim 11 [5], including a shutter for optically isolating a photoelectric detector and means for measuring [the] electrical values delivered by the photoelectric detector while it is immersed in the dark, the shutter being closed.
11. (Amended) Automatic apparatus for immunological assay, the apparatus comprising means for supporting, guiding, and stepwise displacement of vessels, or of sets of reaction vessels along a path having a predetermined number of positions, means for supporting samples to be analyzed, means for supporting reagents, and means for taking determined quantities of samples and of reagents and for injecting the quantities taken into the reaction vessels, together with means for washing the vessels, means for reading [the] results, and means for feeding sets of reaction vessels and for ejecting sets of used vessels, the apparatus including means for forming a temporary dark chamber that is proof against external light, said dark chamber having photometric means for measuring an [the] intensity of light and a vessel including walls in [the] a form of a vessel for receiving a sample to be tested, a test reagent, and a substrate coupled with a chemiluminescent substance, and also a filling opening, wherein the walls are proof against any light emitted by the chemiluminescent substance, apart from a window for reading the intensity of any light emitted by a [the] reaction mixture formed by the sample to be tested, the reagent, and the substrate, and wherein the window corresponds to the filling opening of the vessel and wherein the window is surrounded by a substantially plane zone against which a light-proof shoe is pressed, and a light source for illuminating, on command,

[the] outside of a dark chamber formed temporarily by the walls of the vessel and a photometric means so as to enable the dark chamber to be tested for light-tightness, the immunological assay [test] being rejected if the photometric means detects [detect] light emitted by the light source.